IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 2029 of 1998

Between:

Co-operative Labour /Contract Society Ltd.,Mudhole Bhainsa
Adilabad Regd.No.103 dt.15.10.80 rep.by it's President
Abdul Aziz,S/o. late Sheikh Ahmed Age:50 R/o. H.No.2-5-96,
Kazigalli Bhainsa Mandal, Adilabad.

..... PETITIONER

AND

1 The Superintending Engineer, Irrigation Circle
Nirmal, Adilabad District
2 The Superintending Engineer, Panchayat Raj ,
Adilabad District
3 The Superintending Engineer, Roads and Buildings Circle,
Karimnagar, Karimnagar District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate Writ or order particularly one in the nature of writ of Mandamus declaring the action of the respondents insisting the petitoner society for payment of Earnest Money Deposit, Commercial Tax Clearance Certificate or imposing any condition or experience is arbitrary illegal and unreasonable and consequently direct the respondents not to insist for payment of Earnest money Deposit, Commercial Tax Clearance Certificate from the petitioner at the time of allotment of works and issue tender schedules to the petitioner in such all tender notices irrespective of conditions or experience disregarding district in which ever they register.

For the Petitioner: MR.RUPENDRA MAHENDERA, Advocate

For the Respondents: GP FOR IRRIGATION

The Court made the following :

ORDER:

It is submitted by the learned counsel for the petitioner and admitted to by the learned Government Pleader appearing for the respondents that the subject matter of this writ petition is squarely covered by the common judgment of this Court in W.P. No.12975 of 1996 and batch, dated 10-03-1998.

In the circumstances, following the common judgment of this Court in W.P. No.12975 of 1996 and batch, the writ petition is dismissed for the same and similar reasons. No costs.

N.V. RAMANA, J

Date: 14-02-2005

Svv

To

1 The Superintending Engineer, Irrigation Circle
Nirmal, Adilabad District
2 The Superintending Engineer, Panchayat Raj ,
Adilabad District
3 The Superintending Engineer, Roads and Buildings Circle,
Karimnagar, Karimnagar District

4 Two CCs. to the Government Pleader for Irrigation, High Court Buildings, A.P., Hyderabad (OUT).

5 Two CD copies.